

Application No.: 10/672,460

Response dated: May 2, 2006

Reply to Notice of Non-Responsive Amendment of April 2, 2006

REMARKS

This is responsive to the Notice of Non-Responsive Amendment dated April 4, 2006. A response is due by May 4, 2006, without extending the time for response.

As instructed we have paragraphed the changes to the specification and labeled the amended claims with proper status identifiers.

Claims 46-49 have been withdrawn as being directed to non-elected invention and have been cancelled by this amendment.

The corrected drawings sheets were submitted in the January 5, 2006 response to the Office Action dated September 9, 2005.

The specification has been objected to for certain informalities.

Claims 14, 21, 38, and 45 were objected to because of certain informalities. These claims have been amended in response to the objection. Therefore, reconsideration of the withdrawal objections is requested.

Claims 6, 9, 19, 29-30, 36, and 43 were rejected under 35 U.S.C. 112 as being indefinite because of the use of the phrase "cutting blade". These claims have been amended to replace "cutting blade" with "cutter bar". Therefore, reconsideration of the withdrawal rejections is respectively requested.

Claims 1, 3, 5-45, and 50-51 are now pending in this application.

The present claimed invention is now directed to an impeller assembly to be installed in a pump, a pump, and a method of operating a pump in which the impeller has a chopping blade which has a serrated portion that passes adjacent to the cutter bar during rotation of the impeller.

Thus, the present invention distinguishes over the prior art references cited by the Examiner, including a US Patent number 4,076,179 to Tsukube; US Patent number 3,692,422 to Girardier; Soviet Union Patent number 1,488,594; and US Patent number 3,295,769 to Nilsson.

The presently claimed invention is neither anticipated by nor obviated by the cited prior art references either individually or in any combination. Tsukube is directed to a centrifugal sewage pump and the cutter bar does not disclose nor teach a serrated portion. Girardier is directed to a shearing pump with curved veins and does not teach a serrated portion. It would probably be rendered inoperable if a serrated portion was employed. The Soviet Union '594 patent is directed to a pump which incorporates a rotary knife connected to a shaft. The knife operates to cut items passing through openings in counter knife.

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Nilsson does teach an apparatus with serrated edges, but it does not teach a pump. It is an apparatus for beating and disintegrating fibrous material in liquid suspension. There is nothing in Tsukube, Girardier, or the Soviet Union patent which would suggest combining this teachings with Nilsson's teachings of an apparatus for beating or disintegrating fibrous materials.

For these reasons the cited prior art references would neither anticipate nor obviate the present claimed invention. Therefore, reconsideration of the rejections and early allowance of the claims is respectfully requested.

Should the Examiner wish to discuss any of the foregoing in more detail, the undersigned attorney would welcome a telephone call.

Respectfully submitted,



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